

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-26 are presently pending in this case. Claims 1-3, 5-7, 9-11, 13-15, 17-19, and 21-23 are amended and new Claims 25 and 26 are added by the present amendment. As amended Claims 1-3, 5-7, 9-11, 13-15, 17-19, and 21-23 and new Claims 25 and 26 are supported by the original disclosure,¹ no new matter is added.

In the outstanding Official Action, Claims 9-12 were rejected under 35 U.S.C. §112, second paragraph; Claims 5-7, 17, 18, 21, and 22 were rejected under 35 U.S.C. §102(e) as anticipated by Motegi et al. (U.S. Patent Application Publication No. 20030117968, hereinafter "Motegi"); and Claims 1, 2, 13, and 14 were rejected under 35 U.S.C. §103(a) as unpatentable over Motegi. However, Claims 3, 4, 7, 8, 15, 16, 19, 20, 23, and 24 were objected to as dependent on a rejected base claim, but otherwise were indicated as including allowable subject matter if re-written in independent form.

Applicants gratefully acknowledge the indication that Claims 3, 4, 7, 8, 15, 16, 19, 20, 23, and 24 include allowable subject matter.

With regard to the rejection of Claims 9-12 under 35 U.S.C. §112, second paragraph, Claim 9 is amended to recite "using a prediction function." Further, new Claim 26 recites "wherein said computing an optimal differential time includes computing an optimal differential time from among values of said differential time preserved in the past using a fuzzy theory algorithm, a neural network theory algorithm, a genetic algorithm, or a chaos theory algorithm." Accordingly, Claim 9 (and Claims 10-12 and 26 dependent therefrom) is believed to be in compliance with all requirements under 35 U.S.C. §112, second paragraph.

¹See, e.g., the specification at page 12, line 26 to page 13, line 3.

With regard to the rejection of Claim 1 as unpatentable over Motegi, that rejection is respectfully traversed.

Claim 1 recites in part:

measuring the time when data addressed thereto is received;
preserving said measured time;
computing a differential time between the time measured when the next data addressed thereto is received and said preserved time;
preserving said differential time;
computing an average value of said preserved differential time; and
controlling standby power at receiving time using said computed average differential time.

In contrast, Motegi describes a mobile communications system including two sleep timers, Ts1 and Ts2.² The two sleep timers are set for different durations based on whether a received packet is real-time or non-real-time. The chosen durations are values saved in memory.³ If both timers expire, the mobile station is put in a power saving mode.⁴ Thus, the system of Motegi *never measures an actual time* of any event, *it only determines if the specified time has passed* from an event or not. Therefore, the system of Motegi does not perform *any* of the steps recited in Claim 1. Accordingly, it is respectfully submitted that Motegi does not teach “measuring,” “preserving said measured time,” “computing a differential time,” “preserving said differential time,” “computing an average value,” or “controlling standby power” as defined in Claim 1. Consequently, Claim 1 (and Claims 2-4 dependent therefrom) is not anticipated by Motegi and is patentable thereover.

Claims 5 and 9 also recite in part:

measuring the time when data addressed thereto is received;
preserving said measured time;

²See Motegi, Figure 2.

³See Motegi, paragraph s53 and 54.

⁴See Motegi, Figure 4.

computing a differential time between the time
measured when the next data addressed thereto is received and
said preserved time;
preserving said differential time;

As noted above, the system of Motegi never measures an actual time of any event, it only determines if a specified time has passed from an event or not. Therefore, it is respectfully submitted that the system of Motegi does not perform *any* of the steps recited in Claims 5 or 9. Consequently, Claims 5 and 9 (and Claims 6-8, 10-12 and 26 dependent therefrom) are not anticipated by Motegi and are patentable thereover.

Amended Claims 13, 17, and 21 recite in part:

a unit configured to measure the time when data
addressed thereto is received;
a unit configured to preserve said measured time;
a unit configured to compute a differential time
between the time measured when the next data addressed
thereto is received and said preserved time;
a unit configured to preserve said differential time.

As noted above, the system of Motegi never measures an actual time of any event, it only determines if a specified time has passed from an event or not. Thus, the system of Motegi does not include a unit configured to measure the time when data addressed thereto is received, a unit configured to preserve a measured time, a unit configured to compute a differential time between the time measured when the next data addressed thereto is received and a preserved time, or a unit configured to preserve said differential time. In fact, it is respectfully submitted that the system of Motegi does not include *any* of the units recited in Claims 13, 17, or 21. Consequently, Claims 13, 17, and 21 (and Claims 14-16, 18-20, and 22-25 dependent therefrom) are not anticipated by Motegi and are patentable thereover.

New Claims 25 and 26 are supported at least by the specification at page 12, line 26 to page 13, line 3. New Claims 25 and 26 are dependent on Claims 21 and 9, respectively, and thus are believed to be patentable for at least the reasons described above. In addition,

Application No. 10/811,841
Reply to Office Action of August 8, 2007

Claims 25 and 26 recite subject matter that further patentably defines over Motegi.

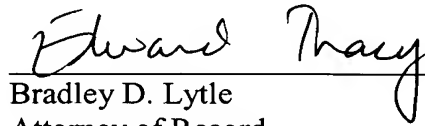
Consequently, new Claims 25 and 26 are also patentable over Motegi.

Accordingly, the pending claims are believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Edward W. Tracy, Jr.
Registration No. 47,998

I:\ATTY\ET\251008US\251008US-AMD11.8.07.DOC